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State of New Jersey

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

JAMES E. MCGREEVEY
Governor

STATE BOARD OF VETERINARY MEDICAL EXAMINERS
124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

PETER C. HARVEY
Attorney General
RENI ERDOS
Director

May 12, 2004

Mailing Address:

P.O. Box 45020
Newark, NJ 07101
(973) 504-6500

By Certified and Regular Mail

Jennifer C. Feeney, DVM
NORTH BERGEN ANIMAL HOSPITAL
9018 Kennedy Boulevard
North Bergen, New Jersey 07047-5303

Re: **I/M/O Jennifer C. Feeney, DVM**
Complaint Number: 03-043

Offer of Settlement In Lieu of Disciplinary Proceeding

Dear Dr. Feeney:

This letter is to advise you that the New Jersey State Board of Veterinary Medical Examiners (hereinafter referred to as the "Board") has had an opportunity to review information and testimony it received concerning your professional conduct in the care and treatment you and the North Bergen Animal Hospital ("Hospital") provided to "Yankee" Greenwald, a Red Tabby cat owned by Valerie Greenwald, in or about May 2003.

Specifically, the information reviewed by the Board included, but is not limited to, the following documents:

1. A complaint filed by Valerie Greenwald with the Board's administrative office on or about May 19, 2003, as well as any and all attachments and exhibits; and .

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2. An undated correspondence signed by Dr. Kimberlee M. Young and Dr. Feeney of the North Bergen Animal Hospital, addressed to the Board, as well as any and all attachments and exhibits.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you violated or failed to comply with the provisions an act or regulation administered by the Board, in violation of N.J.S.A. 45:1-21(h) in that you utilized another licensed veterinarian's prescription pad upon which to write a prescription for your patient. Specifically, the Board's investigation into this matter revealed that Dr. Young had recently purchased the Hospital from a licensed veterinarian and that you are employed at the Hospital as an associate. During the transitional period following the sale of the veterinary practice, neither you nor Dr. Young had completed the necessary paperwork, including applications for a DEA number, which would have allowed either veterinarian to order their own prescription pads. According to your undated letter to the Board, you agreed, apparently with the consent and permission of the former owner of the Hospital, to write prescriptions, when necessary, on the pad of the former owner veterinarian either signing your own name or utilizing the signature of the former owner of the Hospital.

The Board preliminarily finds that the conduct outlined above constitutes a violation and/or failure to adhere to the Uniform Prescription Blanks Act, N.J.S.A. 45:14-14.1 et seq., and its regulations codified at N.J.A.C. 13:45A-27, contrary to the provisions of N.J.S.A. 45:1-21(h). The Board concludes that it is improper to utilize another licensee's prescription pad because necessary paperwork had not been completed to permit you to order new pads. The Board notes that N.J.A.C. 13:44-4.1(f) provided you with reasonable and proper alternatives by indicating prescriptions may be issued orally or by electronic communication, in addition to in writing, to the dispenser.

At this juncture, the Board has determined that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that determination, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of disciplinary proceedings, should you consent to:

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1. Cease and desist from utilizing another licensee's prescription pads; and
2. Pay a penalty in the amount of \$**500.00**, to be paid immediately upon your signing of the acknowledgment at the bottom of this letter, for your violation of N.J.S.A. 45:1-21(e).

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. In such event, this letter will be a matter of public record.


In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order, requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Olga E. Bradford, who may be reached at (973) 648-3696.

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of the appropriate enforcement action.

Jennifer Feeney, DVM

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NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

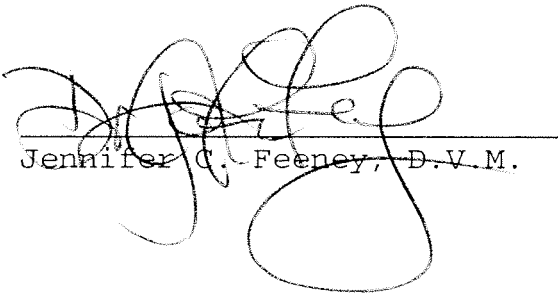
By: 
LESLIE G. ARONSON
Executive Director

Jennifer Feeney, DVM

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ACKNOWLEDGMENT: I, **JENNIFER C. FEENEY, DVM**, hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of **\$500.00** which is to be paid upon signing of this acknowledgment.

DATED:


Jennifer C. Feeney, D.V.M.

cc: Deputy Attorney General Olga E. Bradford

CERTIFIED MAIL/C.R.R.R.
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